

PSJ15 Exh 94

July 18, 2019

FOR IMMEDIATE RELEASE

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## Pharmaceutical distributor and executives, pharmacists charged with unlawfully distributing painkillers

### Wholesaler allegedly distributed 3.7 million hydrocodone pills to pharmacy in town of 400 people

CINCINNATI – A federal grand jury has charged a pharmaceutical distributor, two of its former officials and two pharmacists with conspiring to distribute controlled substances in an indictment returned here yesterday.

Four individuals have been charged, including Miami-Luken's former president and compliance officer and two West Virginia pharmacists.

Those charged include:

- Anthony Rattini, 71, of Colorado Springs, Colo., the former president of Miami-Luken;
- James Barclay, 72, of Springboro, Ohio, the former compliance officer of Miami-Luken;
- Devonna Miller-West, 49, of Oceana, W.Va., a pharmacist who owned and operated Westside Pharmacy in Oceana, W.Va.; and
- Samuel "Randy" Ballengee, 54, of Lovely, Ky., a pharmacist who owned and operated Tug Valley Pharmacy in Williamson, W.Va.

Benjamin C. Glassman, United States Attorney for the Southern District of Ohio, Keith Martin, Acting Special Agent in Charge, U.S. Drug Enforcement Administration and Lamont Pugh III, Special Agent in Charge, U.S. Department of Health and Human Services Office of Inspector General, announced the charges.

"Today's arrests should be a wakeup call to distributors and pharmacists who are allowing opioid prescription pills to be illegally sold and dispensed from their facilities," said DEA Assistant Administrator John Martin. "These actions will not be tolerated by the DEA, and they will be brought to justice."

Miami-Luken supplied pharmaceuticals to more than 200 pharmacies in Ohio, West Virginia, Indiana and Tennessee.

From 2008 until 2015, the company generated more than \$173 million in consolidated sales per year. More than 70 percent of the profits came from wholesale distribution.

According to the indictment, Rattini, Barclay and Miami-Luken sought to enrich themselves by distributing millions of painkillers to doctors and pharmacies in rural Appalachia, where the opioid epidemic was at its peak.

The distributor and its officials allegedly continued to distribute millions of pills to Westside, Tug Valley and other pharmacies even after being advised by the DEA of their responsibilities as a wholesaler to ensure drugs were not being diverted and to report suspicious orders.

It is alleged they filled suspicious orders placed by Miller-West, Ballengee and others.

For example, Rattini, Barclay and Miami-Luken allegedly ignored obvious signs of abuse by distributing more than 2.3 million oxycodone pills and 2.6 hydrocodone pills to Miller-West's pharmacy in a town of approximately 1,394 people.

Ballengee's pharmacy allegedly received more than 120,000 painkiller pills from Miami-Luken in one month. From 2008 through 2014, Miami-Luken distributed more than 6 million hydrocodone pills to Tug Valley Pharmacy.

The wholesaler allegedly provided another 2.2 million pills from 2012 through 2014 to another pharmacy that had been cut off from other wholesalers.

From 2008 through 2011, Miami-Luken allegedly distributed more than 3.7 million hydrocodone pills to a pharmacy in Kermit, W.Va., a town of 400 people.

Each of the defendants as well as Miami-Luken, Inc. is charged with conspiring to illegally distribute controlled substances, a crime punishable by up to 20 years in prison.

U.S. Attorney Glassman commended the investigation of this case by the DEA and HHS-OIG, as well as Assistant United States Attorneys Timothy D. Oakley and Maritsa A. Flaherty, who are prosecuting the case.

An indictment merely contains allegations, and the defendants are presumed innocent unless proven guilty in a court of law.